



**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
4400 PGA Boulevard, Suite 500  
Palm Beach Gardens, Florida 33410

REPLY TO  
ATTENTION OF

Palm Beach Gardens Regulatory Office

***PUBLIC NOTICE***

**Permit Application No. SAJ-2003-3315(IP-AAZ) SEP 28 2004**

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below.

APPLICANT: June-Ann Fox  
c/o: Alton E. Jones  
118 Queen Elizabeth Court  
Fort Pierce, Florida 34949

WATERWAY & LOCATION: The proposed project is located in waters of the United States on undeveloped land on North Hutchinson Island, Queens Cove, Block 7, Lot C in Section 15, Township 34 South, Range 40 East, St. Lucie County, Florida.

DIRECTIONS TO SITE: From Fort Pierce in St. Lucie County, travel north on U.S. Highway 1, then veer northeast on Alternate A1A (State Road 605) to cross the North Causeway Bridge. Proceed north on Alternate A1A approximately 1.6 miles to Regal Road. Turn west on Regal Road and proceed west approximately 0.5 mile to Queens Road. Turn north on Queens Road, and west on Sovereign Way. Proceed west on Sovereign Way approximately 0.33 mile to Queen Eugenia Court. The site is located on an undeveloped lot dominated by red mangroves just west of Queen Christina Court. Please note that the paved road does not extend north of Sovereign Way to the property.

LATITUDE & LONGITUDE: Latitude 27°30'939" North  
Longitude 80°19'87" West

PROJECT PURPOSE:

Basic: The basic purpose of this project is to construct a single-family residential home.

Overall: The overall purpose of this project is to construct a single-family residential home with ocean access in northern St. Lucie County.

PROPOSED WORK: The applicant proposes to develop a lot in the Queens Cove residential development. The site consists of approximately 0.28 acre, of which 0.23 acre is mangrove swamp dominated by white mangroves (*Laguncularia racemosa*), black mangroves (*Avicennia germinans*), red mangroves (*Rhizophora mangle*), and buttonwood (*Conocarpus erectus*) and 0.05 acre is spoil upland. The site is bordered by a single-family residential development and mangrove wetlands to the north, the Atlantic Ocean to the east, mangrove wetlands to the south, and the Indian River to the west.

As a result of the project, approximately 6,859 square feet of fill would be placed over 0.16 acre of mangrove wetlands to construct a road, a home, and the septic system on Lot C and 128 square feet of fill would be placed over 0.003 acre of mangrove swamp to construct a portion of the access road on Lot B. The project is also proposing to place approximately 50 linear feet of riprap to stabilize the shoreline. All proposed fill would be placed in the mangrove wetlands that are contiguous to tidal waters of the Indian River Lagoon. The applicant has offered the following compensatory mitigation for consideration if it is determined that issuance of a permit is appropriate. The applicant would enhance the remaining 0.059 acre of mangrove wetland on Lot C through exotic species removal, and purchase 0.20 credit at the CWG Mitigation Bank. The Corps is currently determining if the proposed mitigation would offset the loss of wetland function and value through the estuarine Wetland Rapid Assessment Procedure (eWRAP) process.

ENDANGERED SPECIES: A listed species survey, which was conducted on March 18, 2003, indicated that no federally listed species are on the project site. However, the Corps believes that woodstorks may forage in the wetlands. The applicant is proposing off-site mitigation. Therefore, the Corps has made a determination that the proposed project may affect the woodstork. Pursuant to Section 7 of the Endangered Species Act, the Corps is initiating formal consultation with the Fish and Wildlife Service for the woodstork by separate letter.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens

Fishery Conservation and Management Act. The project would result in impacts to 0.163 acres of jurisdictional mangrove wetlands, which is designated as EFH. Potential impacts to managed species caused by impacts to EFH include: penaeid shrimp complex, red drum, reef fish, stone crab, spiny lobster, migratory/pelagic fish, and snapper/grouper complex. Our initial determination is that the proposed action would have a substantial adverse impact on EFH or Federally managed fisheries in the South Atlantic.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

AUTHORIZATION FROM OTHER AGENCIES: A State Water Quality Certification/Permit may be required for this project. The Florida Department of Environmental Protection has issued a permit for this project under application number 56-0217766-002.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within **30** days from the date of this notice.

If you have any questions concerning this application, you may contact Alisa Zarbo of this office by telephone at 561-472-3514 or by fax at 561-626-6971. You may also email your comments to [alisa.a.zarbo@saj02.usace.army.mil](mailto:alisa.a.zarbo@saj02.usace.army.mil).

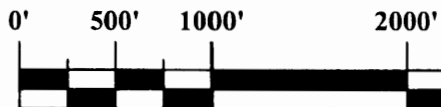
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SEP 18 2003

NOT A SURVEY



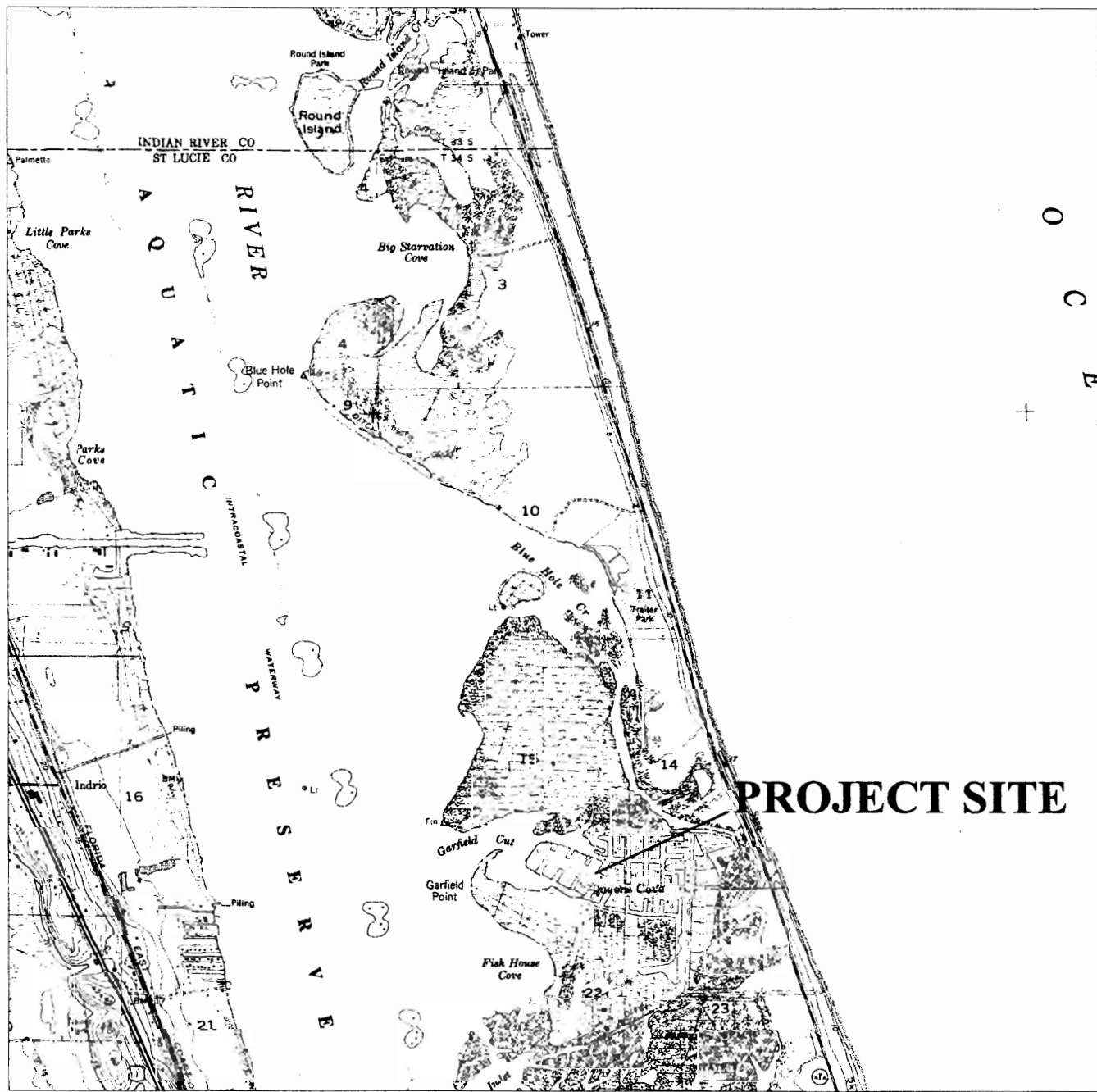
North



SCALE: 1" = 1000'

Dept. of Environ. Protection  
Port St. Lucie

R. L. WEIGT  
ENVIRONMENTAL CONSULTANTS, INC.  
8965 S.E. BRIDGE ROAD, SUITE A, HOBE SOUND, FL 33455  
PHONE: (772) 544-4255 FAX: (772) 544-2318 E-MAIL: rlw@edapha.net



SOURCE: 1946 USGS Florida 7.5 Minute Series Topographic Map, Indrio Quadrangle (photorevised in 1983)  
LATITUDE: N27° 30.939' LONGITUDE: W080° 19.187'

APPLICANT: JUNE-ANN FOX

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:	DRAWING NAME:	DATE:	EXHIBIT:
FLORIDA	15	34S	40E	03-014.03\LOT C			

QUEENS COVE, BLOCK 7, LOT C  
ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)  
USGS TOPOGRAPHIC MAP

U.S. Army Corps of Engineers  
Application # 200303315  
9/9/04  
Sheet 1 of 7  
Section 15, Township 34S, Range 40E

THIS DRAWING, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DRAWING WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC. SHALL BE WITHOUT LIABILITY TO R.L. WEIGT ENVIRONMENTAL CONSULTANTS, INC.

NOT A SURVEY



North



SCALE: 1" = 100'

R. L. WEIGT  
ENVIRONMENTAL CONSULTANTS, INC.  
883 S.E. BRIDGE ROAD, SUITE A, BOKE SOUND, FL 33455  
PHONE: (772) 544-4355 FAX: (772) 544-2314 E-MAIL: rlw1@adelphia.net



SOURCE: 2000 AERIAL PHOTOGRAPH AND PROPERTY BOUNDARIES - ST. LUCIE COUNTY PROPERTY APPRAISERS OFFICE.

SEE ERP APPLICATION, PART A, SECTION 7, FOR NAMES AND ADDRESSES OF PROPERTY OWNERS

APPLICANT: JUNE-ANN FOX

LATITUDE: N27° 30.933' LONGITUDE: W080°19.161'

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:	DRAWING NAME:	DATE:	EXHIBIT:
FLORIDA	15	34S	40E	03-014.03\LOT C			

QUEENS COVE, BLOCK 7, LOT C

ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)

ADJACENT PROPERTY OWNERS

U.S. Army Corps of Engineers

Application # 200303315

9/9/04

Sheet 2 of 7

Section 15, Township 34S, Range 40E

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North

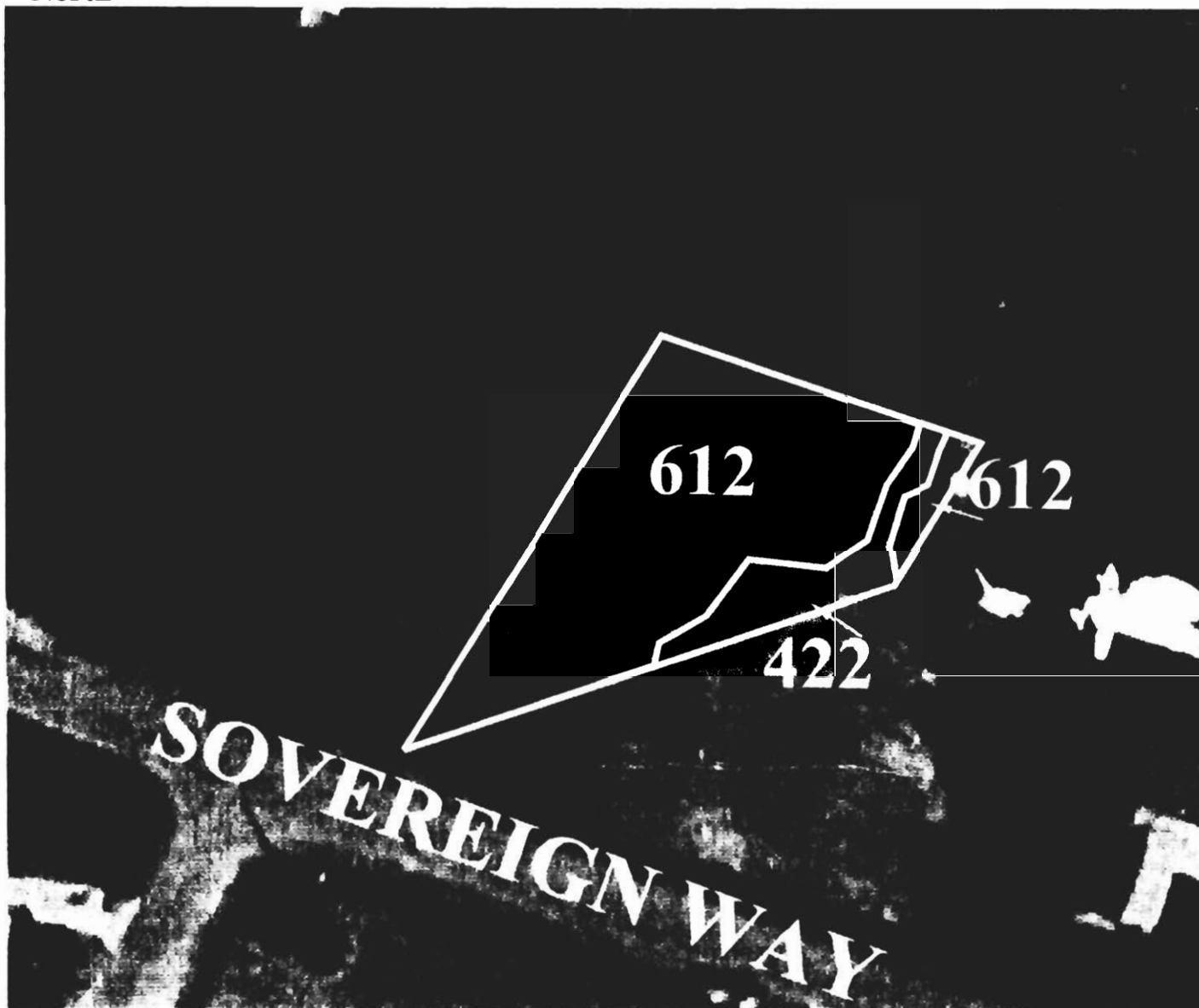


SCALE: 1" = 50'

RECEIVED

SEP 18 2003

R. L. WEIGT  
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8985 S.E. BRIDGE ROAD, SUITE A, HOBBS SOUND, FL 33455  
PHONE: (772) 546-4255 FAX: (772) 546-2316 E-MAIL: rlw1@adelphia.net



**LEGEND**

612 = MANGROVE SWAMP, WETLAND  
422 = BRAZILIAN PEPPER, UPLAND

APPLICANT: JUNE-ANN FOX

COVER TYPE MAPPING ACCORDING TO FLORIDA LAND USE AND COVER CLASSIFICATION SYSTEM (FLUCFCS)

SOURCE: AERIAL PHOTOGRAPH AND PROPERTY BOUNDARY - ST. LUCIE COUNTY PROPERTY APPRAISERS OFFICE. COVER TYPE MAPPING BY RLW.  
LATITUDE: N27° 30.939' LONGITUDE: W080°19.187'

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:
FLORIDA	15	34S	40E	03-014.03\LOTC

**QUEENS COVE, BLOCK 7, LOT C**

ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)

**FLUCFCS MAP**

DRAWING NAME: DATE: EXHIBIT:

U.S. Army Corps of Engineers

Application # 200303315

9/9/04

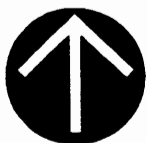
Sheet 3 of 7

Section 15, Township 34S, Range 40E

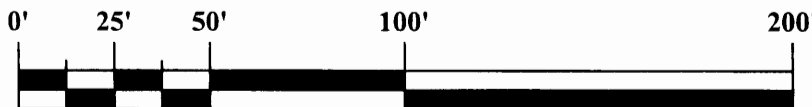
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NOT A SURVEY



North



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RECEIVED  
SEP 18 2003

Dept. of Environ. Protection  
St. Lucie



LATITUDE: N27° 30.939' LONGITUDE: W080°19.187'

APPLICANT: JUNE-ANN FOX

### LEGEND

= JURISDICTIONAL WETLAND LIMITS, REVIEWED AND APPROVED BY  
FLORIDA DEPT. OF ENVIRONMENTAL PROTECTION (0.20 AC ±)

NOTE: WETLAND LIMITS HAVE NOT BEEN CONFIRMED BY US ARMY CORPS OF ENGINEERS.

SOURCES: ST. LUCIE COUNTY PROPERTY APPRAISER'S OFFICE 2000 AERIAL PHOTOGRAPH; WETLAND LINES FLAGGED BY RLW, AND SURVEYED BY  
CULPEPPER & TERPENNING, INC.; WETLAND ACREAGES FROM C&T SURVEY

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:	DRAWING NAME:	DATE:	EXHIBIT:
FLORIDA	15	34S	40E	03-014.03			

QUEENS COVE, BLOCK 7, LOT C

ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)

WETLAND MAP

U.S. Army Corps of Engineers

Application # 200303315

9/9/04

Sheet 4 of 7

Section 15, Township 34S, Range 40E

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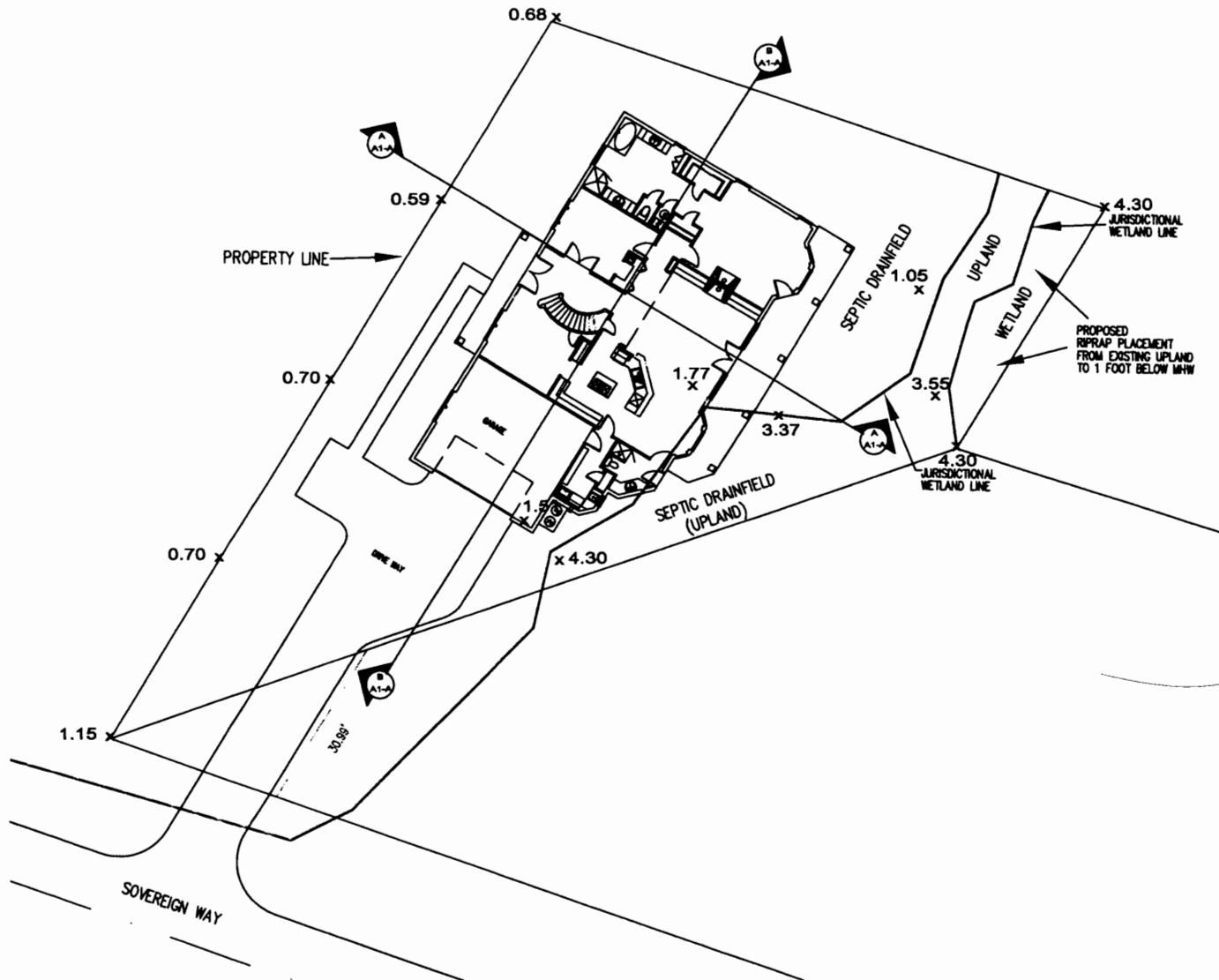
JLM Designs  
8525 Bonita Isle  
Lake Worth, Florida 33467  
(561)649-4050



North



SCALE: 1" = 30'



APPLICANT: JUNE-ANN FOX

SOURCES: SITE PLAN DATED 24 JULY, 2003, REVISED JAN 2004, BY JLM DESIGNS  
WETLAND LIMITS FLAGGED BY RLW, APPROVED BY FDEP AND SURVEYED BY CULPEPPER & TERPENNING, INC.  
LATITUDE: N27° 30.939' LONGITUDE: W080°19.187'

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:	DRAWING NAME:	DATE (REVISED):	FIGURE NO.
FLORIDA	15	34S	40E	03-014.03\LOT C ERP	FDEP 014.03\LOT C		

**QUEENS COVE, BLOCK 7, LOT C**  
ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)

**PROPOSED SITE PLAN**

U.S. Army Corps of Engineers  
Application # 200303315  
9/9/04  
Sheet 5 of 7  
Section 15, Township 34S, Range 40E



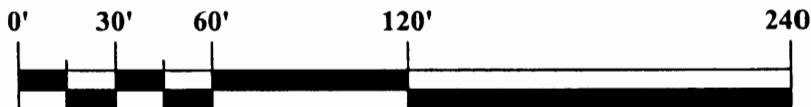
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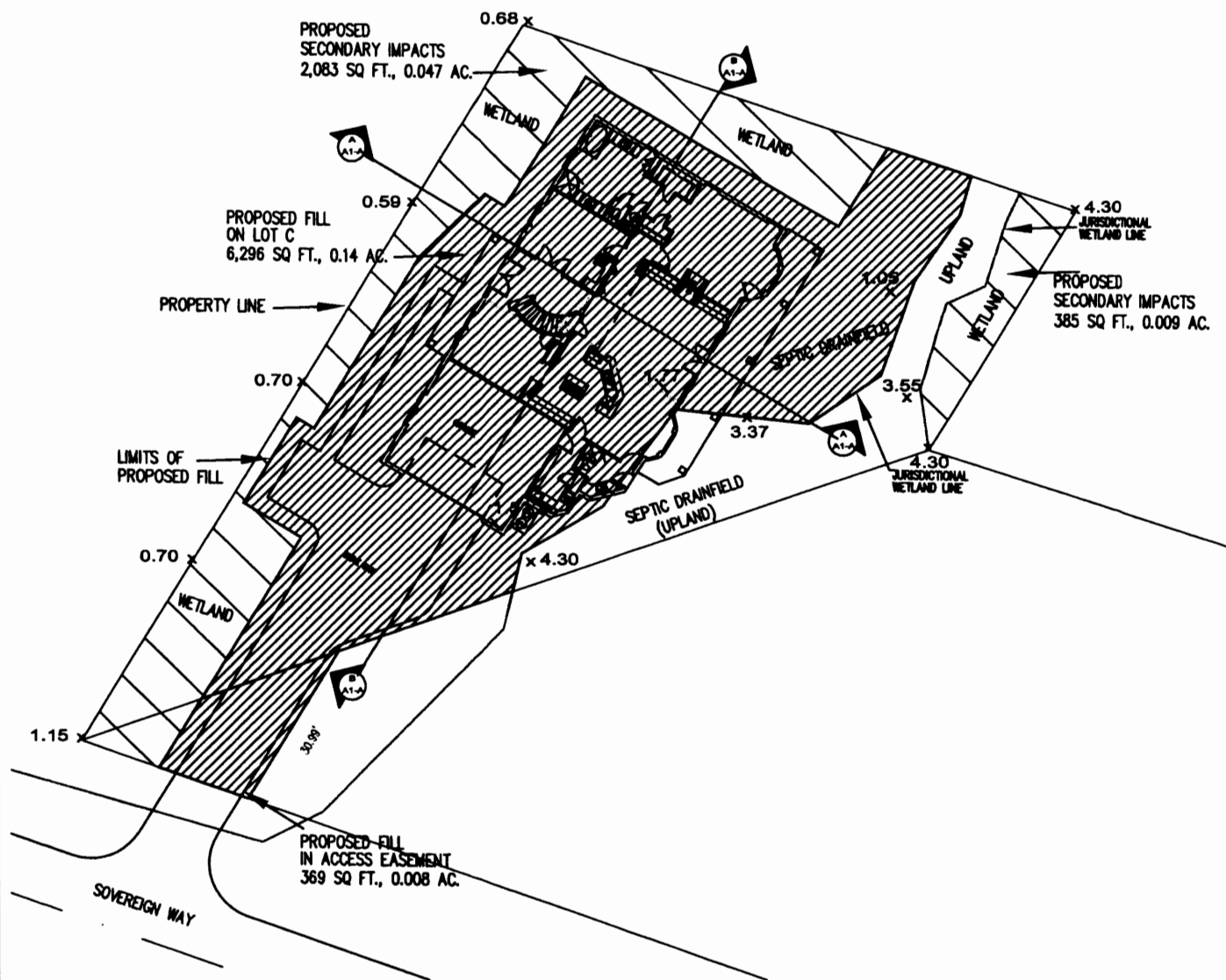
JLM Designs  
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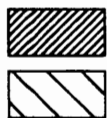
North



SCALE: 1" = 30'



### LEGEND



= PROPOSED WETLAND FILL, DIRECT IMPACT (6,296 + 369 SQ FT, 0.15 AC)

= PROPOSED SECONDARY WETLAND IMPACTS (2,083 + 385 SQ FT, 0.06 AC)

APPLICANT: JUNE-ANN FOX

SOURCES: SITE PLAN DATED 24 JULY, 2003, REVISED JAN 2004, BY JLM DESIGNS  
WETLAND LIMITS FLAGGED BY RLW, APPROVED BY FDEP AND SURVEYED BY CULPEPPER & TERPENNING, INC.  
LATITUDE: N27° 30.939' LONGITUDE: W080°19.187'

ST. LUCIE COUNTY	SEC.	TWP.	R.	RLW JOB NO.:
FLORIDA	15	34S	40E	03-014.03\LOT C ERP

QUEENS COVE, BLOCK 7, LOT C

ENVIRONMENTAL RESOURCE PERMIT APPLICATION (ERP)

PROPOSED WETLAND IMPACTS

DRAWING NAME: DATE (REVISED): FIGURE NO:

U.S. Army Corps of Engineers

Application # 200303315

9/9/04

Sheet 6 of 7

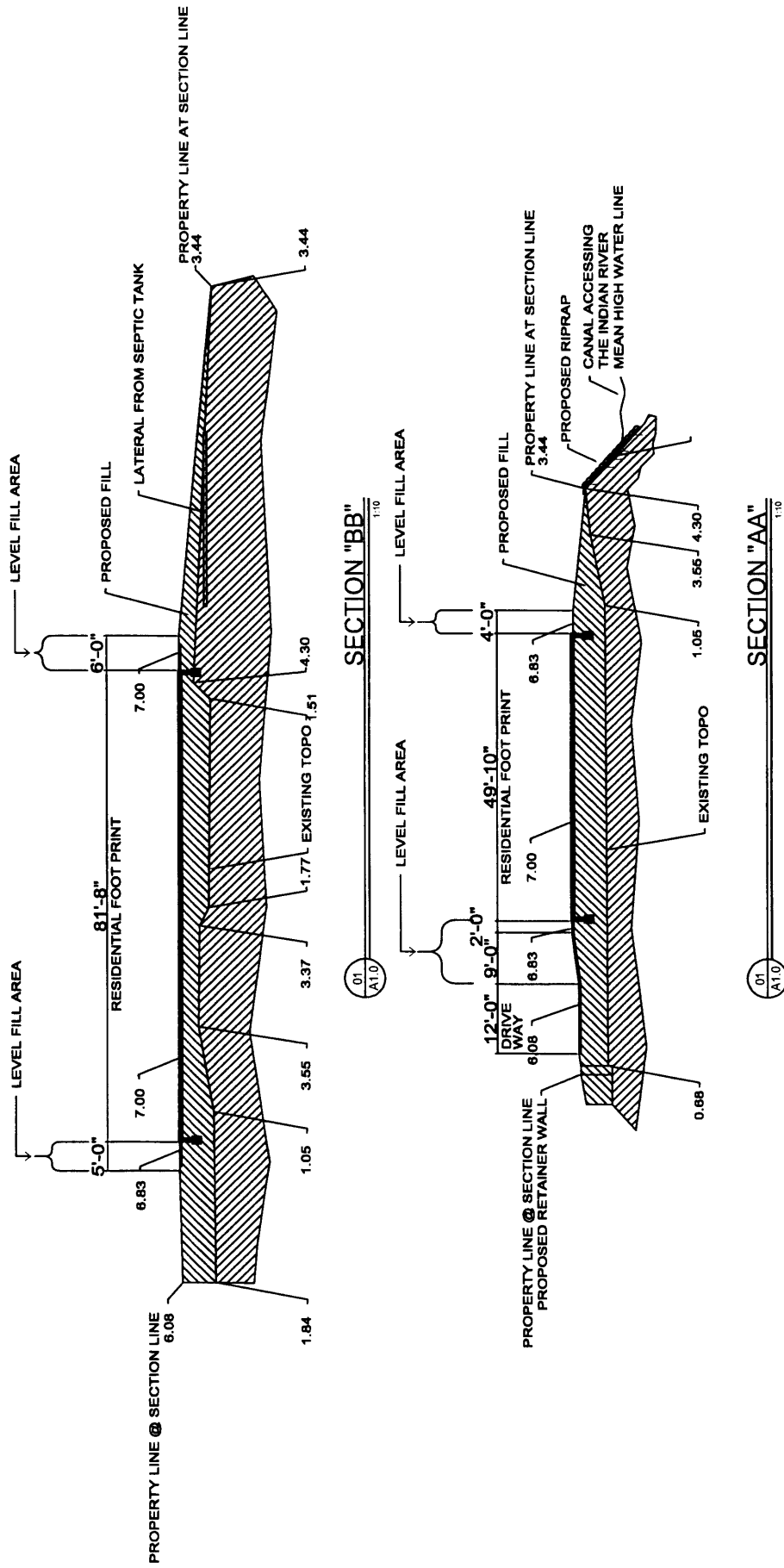
Section 15, Township 34S, Range 40E

THIS DRAWING, TOGETHER WITH THE CONCEPTS AND DESIGN PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED TO PROVIDE A BASIS FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN AUTHORIZATION OF JLM Designs.

NOT A SURVEY

**JLM Designs**  
8525 Bonita Isle  
Lake Worth, Florida 33467  
(561)649-4050

U.S. Army Corps of Engineers  
Application # 200303315  
9/9/04  
Sheet 7 of 7  
Section 15, Township 34S, Range 40E



SOURCE: SITE PLAN DATED 24 JULY 2003, REVISED JANUARY 2004, BY JLM DESIGNS, 8525 BONITA ISLE, LAKE WORTH, FL, 33467

APPLICANT: JUNE-ANN FOX

**QUEENS COVE, BLOCK 7, LOT C**  
ENVIRONMENTAL RESOURCE PERMIT APPLICATION  
**PROPOSED CROSS-SECTIONS**

ST. LUCIE COUNTY FLORIDA		RLW JOB NO.: 03-104.04	DRAWING NAME: LOT C PERMIT APPLICATION XSECTION 04.DWG
SEC. 15	TWP. 34S	R. 40E	FIGURE: 9 OF 10

**R. L. WEIGT**  
ENVIRONMENTAL CONSULTANTS, INC.  
8985 S.E. BRIDGE ROAD, SUITE A, HOBE SOUND, FL 33455  
PHONE: (772) 546-6255 FAX: (772) 546-2316  
E-MAIL: rlw1@adelphia.net

**IMPACT ON NATURAL RESOURCES:** Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

**IMPACT ON CULTURAL RESOURCES:** Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible or inclusion therein, are located at the site of the proposed work. Presently, unknown archeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

  
John R. Hall  
Chief, Regulatory Division